IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1867 OF 2005

Shri Pradeep Shankar Vaidya ... Petitioner

V/s.

Madhya Konkan Kshatriya Maratha
Co-operative Credit Society Ltd. ... Respondent

Mr.A. Joshi i/b N.Srivastava for Petitioner
None for Respondent

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **JULY 19, 2005**

P.C.:

. The Petitioner challenges the decree passed on 30.12.2002 and the execution proceedings pursuant thereto. According to the Petitioner, he was unable to appear in the proceedings before the trial Court as he had no money to engage a lawyer. He has also contended that he was required to come from Dahisar because of his mother in law's illness and, therefore, he could not attend to the present suit. Even after the decree was passed in 2002, the Petitioner has chosen not to take any steps to set aside the ex-parte decree. It is only when the decree has been put in execution on 21.4.2002 that the petitioner has sought to take recourse to law. In such circumstances, I see no reason to interfere with the findings of the trial Court. Petition dismissed.